

1 IN RE: PEOPLE VS. [REDACTED]

2 GJ NO: OCT 2262

3 09 CR 19841

4 ARR: 11-18-09

5
6 BEFORE THE GRAND JURY OF COOK COUNTY
7 OCTOBER 2009

8 REPORT OF GRAND JURY PROCEEDINGS TAKEN
9 IN THE ABOVE-ENTITLED MATTER ON THE 28TH DAY
10 OF OCTOBER, 2009, AT THE COOK COUNTY CRIMINAL
11 COURTS BUILDING, 2650 SOUTH CALIFORNIA
12 AVENUE, CHICAGO, ILLINOIS 60608.

13
14 PRESENT: THE HONORABLE ANITA ALVAREZ
15 STATE'S ATTORNEY OF COOK COUNTY,
ILLINOIS

16 BY: MR. DANIEL HANICHAK
17 ASSISTANT STATE'S ATTORNEY
18 APPEARED ON BEHALF OF THE PEOPLE OF
THE STATE OF ILLINOIS

19 W I T N E S S:

20 DETECTIVE ANTHONY AMATO

21 REPORTED BY:
22 LISA GISO
23 CERTIFIED SHORTHAND REPORTER
24 2650 SOUTH CALIFORNIA AVENUE
CHICAGO, ILLINOIS 60608
ILLINOIS CSR LICENSE NO. 084-004159

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1 THE FOREPERSON: Would you raise your
2 right hand, please?

3 (Whereupon, the Witness
4 was duly sworn.)

5 MR. HANICHAK: The People of the State
6 of Illinois seek a True Bill Indictment from
7 this October Special Grand Jury No. 2262
8 against the defendant [REDACTED] The
9 defendant is charged with the following
10 offenses: Armed habitual criminal, a Class X
11 offense, unlawful use of a weapon by a felon,
12 a handgun, a Class 2 offense, unlawful use of
13 a weapon by a felon, handgun ammunition, a
14 Class 2 offense, a second unlawful use of
15 weapon by a felon for a handgun, a Class 2
16 offense, and a second unlawful use of weapon
17 by a felon, handgun ammunition, a Class 2
18 offense; possession of a controlled substance
19 with the intent to deliver between one and
20 15 grams, greater than five grams, of
21 cocaine, a Class 1 offense, possession of a
22 controlled substance less than 15 grams of
23 heroin, a Class 4 offense, possession of a
24 controlled substance with intent to deliver

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1 between 1 and 15 grams of cocaine, a Class 1
2 offense, and possession of a controlled
3 substance with the intent to deliver between
4 15 and 100 grams of heroin, a Class X
5 offense.

6 The Grand Jury does have the right to
7 subpoena and question any person against whom the
8 State's Attorney is seeking a Bill of Indictment,
9 or any other person, and to obtain and examine
10 any documents or transcripts relevant to the
11 matter being prosecuted by the State's Attorney.

12 DETECTIVE ANTHONY AMATO,
13 having been first duly sworn, was examined
14 and testified as follows:

15 EXAMINATION

16 BY MR. HANICHAK:

17 Q. Officer, can you please state your
18 name, star number, and unit of assignment?

19 A. Detective Anthony Amato, Star No. 20511.
20 I'm currently assigned to the Area 1 Gang
21 Enforcement Section.

22 Q. Officer, were you so assigned and on
23 duty on October 2nd, 2009 at about 1:30 a.m.
24 in the vicinity of 4832 West 51st Street,

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1 Chicago, Cook County, Illinois?

2 A. Yes.

3 Q. On that date, time, and location,
4 did officers approach the defendant's vehicle
5 for a minor traffic violation at the alley
6 near the location of 4832 West 51st Street?

7 A. Yes.

8 Q. And as officers approached the
9 defendant, did they observe inside the
10 vehicle an open bottle of alcohol in the
11 front cup holder?

12 A. Yes.

13 Q. Based upon that was the defendant
14 asked to exit the car, and was he given his
15 Miranda warnings?

16 A. Yes, he was.

17 Q. Did officers observe in the front
18 driver's side visor of that vehicle a large
19 bundle of U.S. currency?

20 A. Yes.

21 Q. And did officers conduct a
22 protective pat-down of the defendant, which
23 revealed an additional bundle of U.S.
24 currency?

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1 A. Yes.

2 Q. Did officers ask the defendant about
3 the money, at which point the defendant
4 became nervous and shaken?

5 A. Yes, he did.

6 Q. And did -- Was the defendant asked
7 if he had anything illegal on him at that
8 time?

9 A. Yes.

10 Q. And was his response to that
11 question that he had some rocks on him?

12 A. Yes.

13 Q. Did a search of the defendant -- I'm
14 sorry, did the defendant then produce from
15 his person three bags containing tinfoil
16 packets of suspect heroin?

17 A. Yes.

18 Q. Did he also produce 43 separate bags
19 of suspect cocaine?

20 A. Yes.

21 Q. After recovering those items, did
22 officers continue to have a conversation with
23 the defendant?

24 A. Yes.

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1 Q. And did the defendant sign a consent
2 to search his residence located at [REDACTED]

3 [REDACTED]

4 A. Yes.

5 Q. And did he sign that consent to
6 search after again being given his Miranda
7 warnings?

8 A. Yes.

9 Q. Did officers then relocate to that
10 location and conduct a systematic search of
11 that residence?

12 A. Yes.

13 Q. Did a systemic search of that
14 residence reveal two semiautomatic handguns
15 both loaded with nine live rounds?

16 A. Yes.

17 Q. Did that search also reveal one
18 clear plastic bag and numerous tinfoil
19 packets of suspect heroin?

20 A. Yes.

21 Q. Did it also reveal one clear plastic
22 bag containing numerous bags of suspect
23 cocaine?

24 A. Yes.

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1 Q. Did officers also recover a scale?

2 A. Yes.

3 Q. And narcotics packaging materials?

4 A. Yes.

5 Q. And, Officer, how was it that
6 officers were able to enter the residence in
7 which [REDACTED] signed a consent to
8 search?

9 A. We used his key.

10 Q. Officer, were all the items that
11 were recovered from the defendant during the
12 course of this arrest inventoried and -- that
13 were suspected to be narcotics inventoried
14 and sent to the Illinois State Police Crime
15 Lab for testing and analysis?

16 A. Yes.

17 Q. Of the items recovered from the
18 defendant's person on scene at 4832 West 51st
19 Street, did you learn that the total weight
20 of the suspect heroin was 0.6 grams, of which
21 0.2 grams tested and tested positive of
22 heroin?

23 A. Yes.

24 Q. Did you learn that of the suspect

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1 cocaine there was a total weight of
2 5.1 grams, all of which tested positive for
3 cocaine?

4 A. Yes.

5 Q. Now, Officer, regarding the
6 narcotics that were recovered from the
7 systematic search of the residence, did you
8 learn that the suspect heroin had a total
9 weight of 42.8 grams, of which 27.3 grams
10 tested and tested positive for heroin?

11 A. Yes.

12 Q. And did you learn that of the
13 suspect cocaine, there was a total weight of
14 8.9 grams, of which 1.1 grams tested and
15 tested positive for cocaine?

16 A. Yes.

17 Q. Finally, Officer, during the course
18 of your investigation, did you learn that the
19 defendant has previously been convicted of
20 felonies?

21 A. Yes.

22 Q. Of those felonies did you learn the
23 defendant had been convicted of delivery of a
24 controlled substance under Case

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1 No. 1999 CR 05667?

2 A. Yes.

3 Q. Did you learn that the defendant has
4 been convicted of unlawful use of a weapon by
5 a felon under Case No. 95CR28339?

6 A. Yes.

7 MR. HANICHAK: Are there any questions?

8 A JUROR: Officer, can I please have
9 your last name again?

10 THE WITNESS: Amato, A-m-a-t-o.

11 A JUROR: 20511?

12 THE WITNESS: 20511, that's correct,
13 ma'am.

14 MR. HANICHAK: Thank you.

15 Any questions?

16

17 (No response.)

18 (Witness excused.)

19 (Whereupon, the Grand Jury was
20 left alone to deliberate after
21 which the following proceedings
22 were had.)

23

24 THE FOREPERSON: True Bill.

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(Whereupon, the above-entitled

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cause was continued for

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arraignment before the Presiding

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Judge.)

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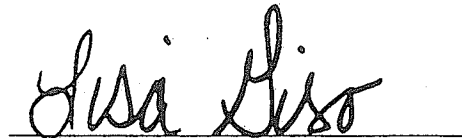
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STATE OF ILLINOIS)

) SS.

COUNTY OF C O O K)

I, LISA GISO, a Certified Shorthand Reporter licensed in the State of Illinois, do hereby certify that I reported in shorthand the proceedings had in the hearing of the above-entitled cause; that I thereafter caused the foregoing to be transcribed into typewriting, which I hereby certify is a true and accurate transcript of the proceedings had before the Grand Jury of Cook County.



Lisa Giso, CSR

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